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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,283	02/15/2002	Makoto Iwayama	NTT-163-02	9044
86636 7590 04/17/2009 BRUNDIDGE & STANGER, P.C. 1700 DIAGONAL ROAD, SUITE 330 ALEXANDRIA, VA 22314				
EXAMINER				
ABEL JALIL, NEVEEN				
ART UNIT		PAPER NUMBER		
2165				
MAIL DATE		DELIVERY MODE		
04/17/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/075,283

Applicant(s)

IWAYAMA ET AL.

Examiner

NEVEEN ABEL JALIL

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11, 13, 15, 17 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11, 13, 15, 17, and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 15-December -2008 has been entered.
2. The amendment filed on 3-February -2009 has been received and entered. Claims 11, 13, 15, 17, and 19 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 11, 13, 15, 17, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by SenseMaker: an information-exploration interface supporting the contextual evolution of a user's interests. Baldonado et al. ACM pub. March 1997. (from here on in Baldonado).

As to claim 11, Baldonado discloses a computer implemented service of searching documents wherein servers comprising document databases and programs to manipulate said

databases are dispersed over a network and a client connected to said servers performs a document search, said service providing a document search method comprising the steps of:

making a first search input of a set of keywords, fragments of a document or any desired set of documents to a first document database (See page 2, section titled: Initial Search);

conducting a first search of said first document database based on said first search input (See page 2, section titled: Initial Search);

retrieving at least one document from said first document database as a result of said first search (See page 2, section titled: Initial Search);

selecting and inputting at least one of said at least one retrieved document to said first document database (See page 3, section titled: Expanding the Collection);

making a weighted term list, whereby each term is given a first weight, from said at least one inputted document, the first weight of each term reflecting the importance of the term in the first document database;

wherein a user interface is provided in which any of said at least one document retrieved by said first search is selected or deselected, and a set of said at least one document that is selected via said interface is used in making the first weighted term list; and

selecting at least one term from said weighted term list, expanding said first search with a second search of a second document using said at least one term selected from said weighted term list as a second search input for performing said second search retrieving at least one document from said second document database as a result of said second search (See Figure 2, and see pages 5-6 sections related to Expand Actions),

calculating a second weight of each term used as the second search input, which reflects the importance of each said term, to each retrieved from the second document database by the second search (wherein if a first weight is calculated a second weight can also be calculated and indexed, see pages 3-4, seconds related to expanding the collection);

finding out a relevance of each retrieved from the second document database by calculating an overall weight on both said weighted term list and the calculated second weights for each document with respect to terms common in both (wherein the results are combined “accumulated results” page 7); and

displaying results of said finding step on a display unit (wherein a user interface inherently displays search results).

As to claims 13, 17, and 19, Baldonado discloses wherein the client transmits said at least one document to a server where said first document database is stored, receives the weighted term list from said first server, sends the second search input to a second server where said second document database is stored, and receives a search result from the search of said second document database (See page 2, section titled: SenseMaker implementation overview, wherein “weight term list” is simply ranked search results, wherein its inherent that a database in a search engine environment can be tied to its own server, the Internet is constructed of multiple database servers sending and sharing information between them).

Note: claim 15 is rejected similarly to claim 11 yet it does not claim a second weight is being calculated.

Response to Arguments

5. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. For complete list of cited relevant prior art, see PTO-Form 892.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074. The examiner can normally be reached on 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on 571-272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Neveen Abel-Jalil
Primary Examiner
April 13, 2008
/Neveen Abel-Jalil/

Primary Examiner, Art Unit 2165